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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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IN RE JUUL LABS, INC.
ANTITRUST LITIGATION

This document relates to:

ALL ACTIONS

Case No. 3:20-cv-02345-WHO

**DIRECT PURCHASER
PLAINTIFFS' AND DEFENDANTS'
JOINT MOTION IN RESPONSE TO
THE COURT'S ORDER
MODIFYING SEALING
PROCEDURES FOR SEPTEMBER
8, 2025 DAUBERT AND CLASS
CERTIFICATION BRIEFING (ECF
NO. 517)**

Judge: Hon. William H. Orrick

1 **TO THE COURT, THE PARTIES, AND ALL COUNSEL OF RECORD:**

2 Direct Purchaser Plaintiffs and Defendants JUUL Labs, Inc. (“JLI”), Altria Group, Inc. and
 3 Altria Enterprises LLC (“Altria”) (together, the “Parties”) respectfully submit this notice in
 4 response to the Court’s July 25, 2025 Order (ECF No. 517) requiring the parties to submit “a
 5 consolidated chart identifying what information should remain under seal for the Court’s
 6 Consideration” from Plaintiffs’ Replies in Support of Their Class Certification Motions, the Parties’
 7 *Daubert* Oppositions, and supporting materials (ECF Nos. 564–569) similar to previous charts filed
 8 in conjunction with Plaintiffs’ Motions for Class Certification (ECF Nos. 510–513) and
 9 Defendants’ Oppositions to Plaintiffs’ Class Certification Motions and Parties’ *Daubert* Motions
 10 (ECF No. 563).

11 1. The Parties seek to maintain under seal a limited subset of material from Plaintiffs’
 12 Replies in Support of Their Class Certification Motions, the Parties’ *Daubert* Oppositions, and
 13 supporting materials, as reflected in the chart below. For the convenience of the Court and the
 14 parties, the Parties attach as exhibits redacted versions of those documents for which they request
 15 the Court keep only portions under seal. Unredacted versions of the exhibits below were submitted
 16 with Plaintiffs’ Replies in Support of their Class Certification Motions, the Parties’ *Daubert*
 17 Oppositions, and supporting materials. *See* ECF Nos. 564–569.

18 Document	19 Description	20 Designating Party	21 Exhibit Reflecting Requested Redactions	22 Prior Exhibit Number
23 Barber Declaration Ex. 5	24 <u>Portions of:</u> 25 <ul style="list-style-type: none"> • Page 66, Footnote 184 • Page 66, Footnote 187 • Page 81, Footnote 212 	26 JLI	27 A	28 None
29 Barber Declaration Ex. 9	30 <u>Portions of:</u> 31 <ul style="list-style-type: none"> • 79:2–3 	32 JLI	33 B	34 None

Document	Description	Designating Party	Exhibit Reflecting Requested Redactions	Prior Exhibit Number
	<ul style="list-style-type: none"> • 79:7 • 79:20–24 • 80:6 <p><u>Entirety of:</u></p> <ul style="list-style-type: none"> • 79:9–10 			
Saveri Declaration Ex. 8	<p><u>Entirety of:</u></p> <ul style="list-style-type: none"> • 17:10–11 	JLI	C	None
Saveri Declaration Ex. 10	<p><u>Portions of:</u></p> <ul style="list-style-type: none"> • 104:21–22 <p><u>Entirety of:</u></p> <ul style="list-style-type: none"> • 16:20–23 	Non-Party Perella Weinberg Partners	D	None
Saveri Declaration Ex. 11	<p><u>Entirety of:</u></p> <ul style="list-style-type: none"> • Slide 10 • Slide 21 • Slide 22 • Slide 24 • Slide 34 • Slide 35 • Slide 44 • Slide 45 • Slide 46 • Slide 48 • Slide 49 • Slide 54 <p><u>Portions of:</u></p> <ul style="list-style-type: none"> • Slide 6 • Slide 9 • Slide 12 • Slide 17 • Slide 19 • Slide 20 	Altria (Perella Weinberg Partners)	E	N/A

Document	Description	Designating Party	Exhibit Reflecting Requested Redactions	Prior Exhibit Number
	<ul style="list-style-type: none"> • Slide 23 • Slide 27 • Slide 28 • Slide 29 • Slide 33 • Slide 53 			
Saveri Declaration Ex. 12	SEAL IN ENTIRETY	JLI	N/A	None
Saveri Declaration Ex. 14	<u>Portions of:</u> <ul style="list-style-type: none"> • JLI-AT-02604989 • JLI-AT-02604993-995 • JLI-AT-02605001-003 • JLI-AT-02605010 • JLI-AT-02605012 • JLI-AT-02605019-022 • JLI-AT-02605025 • JLI-AT-02605026 • JLI-AT-02605032 • JLI-AT-02605034-037 • JLI-AT-02605048-054 • JLI-AT-02605068-070 • JLI-AT-02605072-075 • JLI-AT-02605077-078 • JLI-AT-02605081 • JLI-AT-02605086 • JLI-AT-02605088-090 • JLI-AT-02605094 • JLI-AT-02605099 • JLI-AT-02605101 	JLI	F	None

Document	Description	Designating Party	Exhibit Reflecting Requested Redactions	Prior Exhibit Number
	<ul style="list-style-type: none"> • JLI-AT-02605103–104 <p><u>Entirety of:</u></p> <ul style="list-style-type: none"> • JLI-AT-02604996 • JLI-AT-02605011 • JLI-AT-02605087 • JLI-AT-02605105 			
Saveri Declaration Ex. 18	<p><u>Portions of:</u></p> <ul style="list-style-type: none"> • Page 7, Footnote 26 • Page 9, Chart 2 • Page 13, Paragraph 24 • Page 14, Chart 7 • Page 31, Footnote 129 • Page 32, Chart 10a • Page 33, Chart 10b • Page 35, Paragraph 60 • Page 35, Paragraph 61 • Page 35, Footnote 143 • Page 45, Table 4 • Page 46, Table 5 <p><u>Entirety of:</u></p> <ul style="list-style-type: none"> • Page 33, Footnote 132 	JLI	ECF No. 510, Ex. GG	IRP Class Cert., Katcher Decl. Ex. 1
	<p><u>Portions of:</u></p> <ul style="list-style-type: none"> • Page 17, Paragraph 30 • Page 18, Paragraph 32 	Non-Party 7-Eleven		

Document	Description	Designating Party	Exhibit Reflecting Requested Redactions	Prior Exhibit Number
IPP Class Cert Reply (ECF No. 564-2)	<u>Portions of:</u> <ul style="list-style-type: none"> • Page 6 • Page 6, Footnote 5 	JLI	G	None
IPP Daubert Opposition (ECF No. 564-3)	<u>Portions of:</u> <ul style="list-style-type: none"> • Page 3, Footnote 2 • Page 7 • Page 8 • Page 21 • Page 22 	JLI	H	None
Zwerling Declaration Ex. 11	<u>Portions of:</u> <ul style="list-style-type: none"> • 164:2 • 164:13–20 • 165:3–7 • 194:2–3 • 194:10–19 • 197:19–22 <u>Entirety of:</u> <ul style="list-style-type: none"> • 164:6–9 	JLI	I	None
IRP Class Cert Reply (ECF No. 565-3)	<u>Portions of:</u> <ul style="list-style-type: none"> • Page 6 	JLI	J	None
IRP Daubert Opposition (ECF No. 565)	<u>Portions of:</u> <ul style="list-style-type: none"> • Page 3 • Page 3, Footnote 5 • Page 15 	JLI	K	None
Katcher Declaration Ex. 97	<u>Portions of:</u> <ul style="list-style-type: none"> • Page 19, Footnote 80 	JLI	ECF No. 563, Ex. LL	Defs' Daubert/CC Opp., Barber Decl. Ex. 47

Document	Description	Designating Party	Exhibit Reflecting Requested Redactions	Prior Exhibit Number
Katcher Declaration Ex. 99	<u>Portions of:</u> <ul style="list-style-type: none"> • Page 20–21, Footnote 76 • Page 23, Paragraph 39 • Page 24, Paragraph 40 • Page 25, Paragraph 43 	JLI	ECF No. 563, Exs. JJ and ZZ	Defs' Daubert/CC Opp., Barber Decl. Ex. 42 DPPs' Daubert, Saveri Decl. Ex. 19
Katcher Declaration Ex. 102	<u>Portions of:</u> <ul style="list-style-type: none"> • 67:16–17 • 68:16 <u>Entirety of:</u> <ul style="list-style-type: none"> • 68:21–25 	JLI	L	None

2. The Parties append the Declarations of Nowell D. Bamberger, Jeremy Barber, and Andrew A. Ruffino respectively, in support of their requests to keep the information described in the chart under seal.

3. Defendants do not object to non-parties Perella Weinberg Partners' and 7-Eleven's requests for sealing described above. Plaintiffs are in the process of reviewing Defendants' materials in support of the requests for the materials listed to remain under seal and take no position at this time on these requests. Plaintiffs reserve their rights to object to the sealing of materials subject to Defendants' requests for sealing.

1 Dated: September 26, 2025

2 Respectfully Submitted,

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4 **JOSEPH SAVERI LAW FIRM, LLP**

5 /s/ Joseph R. Saveri

6 Joseph R. Saveri

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10 **Located in New York State

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15 *Interim Lead Counsel for Direct Purchaser*
 Plaintiffs

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FILER'S ATTESTATION

In compliance with Civil Local Rule 5-1(i)(3), I, Nowell D. Bamberger, hereby attest that each of the signatories identified above has concurred in this filing.

/s/ Nowell D. Bamberger
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